

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ROBERT JOHNSON,

Plaintiff,

v.

CHEVRON CORPORATION, KINDER
MORGAN, ENERGY TRANSFER
PARTNERS, TEXACO INC., SUNOCO
INC., and COASTAL CORPORATION,

Defendants.

HONORABLE KAREN M. WILLIAMS

Civil Action

No. 1:21-CV-20548-KMW-SAK

ORDER

Before the Court are five motions: (1) Kinder Morgan’s (“KM”) Motion to Dismiss the Complaint of plaintiff Robert Johnson (“Plaintiff”) (ECF No. 6); (2) Chevron Corporation’s (“Chevron”) Motion to Dismiss Plaintiff’s Complaint (ECF No. 17); (3) KM’s Motion to Strike or Dismiss Plaintiff’s Amended Complaint (ECF No. 22); (4) the Joint Motion of Chevron and Texaco Inc. (“Texaco”) to Dismiss Plaintiff’s Amended Complaint (ECF No. 30); and (5) Plaintiff’s Motion for Leave to Submit a Second Amended Complaint (ECF No. 29).

The Court having considered all the aforementioned motions, as well as the parties’ oppositions, replies, sur-replies, and other submissions concerning the same (ECF Nos. 18, 23, 25, 26, 27, 31, 32, 35, 36); and for the reasons set forth in the accompanying memorandum opinion; it is hereby

ORDERED this 30th day of **September 2022** as follows:

1. KM’s Motion to Strike or, in the alternative, to Dismiss Plaintiff’s Amended Complaint (ECF No. 22) is **DENIED IN PART** and **GRANTED IN PART**:

- a. KM's Motion is **DENIED** insofar as it seeks to Strike the Amended Complaint,
 - b. KM's Motion is **GRANTED** to the extent it seeks dismissal of Plaintiff's Amended Complaint under Fed. R. Civ. P. 12(b)(6);
2. Chevron and Texaco's Joint Motion to Dismiss Plaintiff's Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6) (ECF No. 30) is **GRANTED**;
3. The Motions of KM and Chevron to Dismiss Plaintiff's Complaint (ECF Nos. 6, 17) are **DENIED AS MOOT**;
4. Plaintiff's Motion for Leave to File a Second Amended Complaint (ECF No. 29) is **DENIED**;
5. Plaintiff's Amended Complaint (ECF No. 19) is **DISMISSED WITH PREJUDICE** in its entirety.

/s/ Karen M. Williams
KAREN M. WILLIAMS
United States District Judge